

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC05-1150

IN RE: PETITION TO AMEND
RULE 4-1.5(f)(4)(B) OF THE
RULES OF PROFESSIONAL CONDUCT

October 18, 2005
The Florida Supreme Court
Tallahassee, FL

Proposed amendment to Rule 4-1.05(f)(4)(B) to add a section(iii)

Dear Justices,

I am a private citizen in the State of Florida. I see too much suffering. In Palm Beach County alone, hundreds of innocent people are harmed by medical mistakes every year. I read about excess profits made by malpractice insurance companies. I see innocent doctors gouged on their premiums. What I don't see is any of the victims of malpractice complaining about the contingent fee -- their only key to the courthouse.

If I want to hire a good, experienced malpractice attorney, I want to exercise my right to pay her/him up to the limit currently allowed. If the state constitution gives me a right to limit my attorney's fee to 10% of any recovery over \$250,000, I still have the right to waive that limit to get the attorney of my choice.

I don't like the "Big Brother knows best" approach of the proposed amendment. This amendment is nothing but a sneaky way to prevent me from getting a good attorney to represent me when hospitals and doctors can hire whomever they want and pay them whatever they like.

Please do not be tricked by this proposed amendment. It is unfair, lopsided and should be rejected.

Very truly yours,

Juanita S. Whitaker

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by U.S. Mail upon John Harkness, General Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300 and Stephen Grimes, Counsel for Petitioners, Holland and Knight, LLP, Post Office Box 810, Tallahassee, Florida 32302-0810, on this ____ day of October, 2005